Western Carolinian.

Printed and Published, once a week, By PHILO WHITE.] SALISBURY, N. C.....TUESDAY, DICEMBER 2, 1828. [VOL. IX.....NO. 444.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS, a Convention of Friendship, Commerce and Navigation, between the United States of America and the free Hanseatic Republics of Lubeck, Bremen and Hamburg, was concluded and signed at Washington, on the twentieth day of December, in the year of our Lord one thousand eight hundred and twenty-seven; which Convention, being in the English and French Languages, is word for word, as follows:

ORIGINAL.

Convention of Friendship, Commerce and Navigation, between the United States of America, and the Free Hanseatic Republics of Lubeck, Bremen, and Hamburg.

The United States of America, on the one part, and the Republic and Free Hanseatic City of Lubeck, the Republic and Free Hanseatic City of Hamburg, (each State for itself separately,) on the other part, being desirous to give greater facility to their commercial intercourse, and to place the privileges of their navigation on a basis of the most extended liberality, have resolved to fix, in a manner clear, distinct, and positive, the rules which shall be observed between the one and the other, by means of a Convention of Friendship, Commerce and Navigation.

For the attainment of this most desirable object, the President of the United States of America has conferred full powers on Henry Clay, their Secretary of State; and the Senate of the Republic and Free Hanseatic City of Lubeck, the Senate of the Republic and Free Hanseatic City of Bremen, and the Senate of the Republic and Free Hanseatic City of Hamburg, have conferred full powers on Vincent Rumpff, their Minister Plenipotentiary near the United States of America, who, after having exchanged their said full powers, found in due and proper form, have agreed to the following articles:

ARTICLE I.

The contracting parties agree, that whatever kind of produce, manufacture, or merchandise of any foreign country can be, from time to time, lawfully imported into the United States in their vessels, may be also imported in vessels of the said Free Hanseatic Republics of Lubec, Bremen, and Hamburg, and that no higher or other duties upon the tonnage or cargo of the vessel, shall be levied or collected, whether the importation be made in vessels of the United States or of either of the said Hanseatic Republics. And, in like manner, that whatever kind of produce, manufacture, or merchandise of any foreign country can be, from time to time, lawfully imported into either of the said Hanseatic Republics, in its own vessels, may be also imported in vessels of the United States; and that no higher or other duties upon the tonnage or cargo of the vessel, shall be levied or collected, whether the importation be made in vessels of the one party, or of the other. And they further agree, that whatever may be lawfully exported, or re-exported by one party in its own vessel to any foreign country, may in like manner, be exported or re exported in the vessels of the other party. And the same bounties, duties, and drawbacks shall be allowed and collected, whether such exportation or re exportation be made in vessels of the one party, or of the other. Nor shall higher, or other charges of any kind, be imposed in the ports of the one party, on vessels of the other, than are, or shall be payable in the same ports by national vessels.

ARTICLE II.

No higher or other duties shall be imposed on the importation, into the United States, or of any article, the produce or manufacture of the Free Hanseatic Republics of Lubeck, Bremen, and Hamburg; and no higher or other duties shall be imposed on the importation, into either of the said republics, of any article the produce or manufacture of the United States, than are, or shall be payable on the like article, being the produce or manufacture of any other foreign country; nor shall any other, or higher duties or charges, be imposed by either party on the exportation of any articles to the United States, or the Free Hanseatic Republics of Lubeck, Bremen, or Hamburg, respectively, than such as are, or shall be, payable on the exportation of the like articles to any other foreign country; nor shall any prohibition be imposed on the importation or exportation of any article, the produce or manufacture of the United States, or of the Free Hanseatic Republics of Lubeck, Bremen, or Hamburg, to, or from, the ports of the United States, or to or from the ports of the other party, which shall not equally extend to all other nations.

ARTICLE III.

No priority or preference shall be given, directly or indirectly, by any or either of the contracting parties, nor by any company, corporation, or agent, acting on their behalf, or under their authority, in the purchase of any article, the growth, produce, or manufacture of their States, respectively imported into the other, on account of, or in reference to, the character of the vessel, whether it be of the one party or of the other, in which such article was imported; it being thereby intent and meaning of the contracting parties, that no distinction or diference whatever shall be made in this repect.

ARTICLE IV.

In consideration of the limited extent of the Territories of the Republics of Lubeck, Bremen, and Hamburg and of the intimate connexion of trade and naigation subsisting between these Republics, it is hereby stipulated and agreed, that any vessel which shall be owned exlusively by a citizen or citizens of any or either of them, and of which the mater shall also be a citizen of any or either of them, and provided that three-fourths of the crew shall be citizens or subjects of any of either of the said Republics, or of any or either of the States of the confederation of Germany, such vessel, so owned and navigated, shall, for all the purposes of this Convention, be taken to be, and consieered as, a vessel belonging to Lubeck, Bremen, or Hamburg.

ARTICLE V.

Any vessel, together with her cargo, belonging to either of the Free Hanseatic Republics of Lubeck, Bremen, or Hamburg, and coming from either of the said ports to the United States, shall for all the purposes of this convention, be deemed to have cleared from the Republic to which such vessel belongs; although, in fact, it may not have been the one from which she departed; and any vessel of the United States, and her cargo, trading to the ports of Lubeck, Bremen, or Hamburg, directly, or in succession, shall, for the like purposes, be on the footing of a Hanseatic vessel, and her cargo, making the same voyage.

ARTICLE VI.

It is likewise agreed that it shall be wholly free for all merchants, commanders of ships, and other citizens of both parties, to manage, themselves, their own business, in all the ports and places subject to the jurisdiction of each other, as well with respect to the consignment and sale of their goods and merchandise, by wholesale or retail, as with respect to the loading, unloading and sending off their ships; submitting themselves to the laws, decrees, and usages their established, to which native citizens are subjected; they being, in all these cases, to be treated as citizens of the Republic in which they reside, or at least to be placed on a footing with the citizens or subjects of the most favored nation.

ARTICLE VII.

The citizens of each of the contracting parties shall have power to dispose of their personal goods, within the jurisdiction of the other, by sale, donation, testament, or otherwise; and their representatives, being citizens of the other party, shall succeed to their said personal goods, whether by testament or *ab intestato*, and they may take possession, thereof, either by themselves or others acting for them, and dispose of the same at their will, paying such dues only as the inhabitants of the country wherein said goods are, shall be subject to pay in like cases: and if, in the case of real estate, the said heirs would be prevented from entering into the possession of the inheritance on account of their character of aliens, there shall be granted to them the term of three years to dispose of the same, as they may think proper, and to withdraw the proceeds without molestation, and exempt from all duties of detraction on the part of the government of the respective States.

ARTICLE VIII.

Both the contracting parties promise, and engage formally, to give their special protection to the persons and property of the citizens of each other, of all occupations, who may be in the territories subject to the jurisdiction of the one or the other, transient, or dwelling therein leaving open and free to them, the tribunals of justice for their judicial recourse, on the same terms which are usual and customary with the natives or citizens of the country in which they may be; for which they may employ, in defence of their rights, such advocates, solicitors, notaries, agents, and factors, as they may judge proper, in all their trials at law; and such citizens or agents, shall have as free opportunity as native citizens to be present at the decisions and sentences of the tribunals, in all cases which may concern them; and likewise at the taking of all examinations and evidence which may be exhibited in the said trials.

ARTICLE IX.

The contracting parties, desiring to live in peace and harmony with all the other nations of the earth, by means of a policy, frank, and equally friendly with all, engage mutually not to grant any particular favor to other nations, in respect of commerce and navigation, which shall not immediately become common to the other party, who shall enjoy the same freely, if the concession was freely made, or on allowing the same compensation, if the concession was conditional.

ARTICLE X.

The present convention shall be in force for the term of twelve years from the date hereof: and further, until the end of twelve months after the Government of the United States, on the part, or the free Hanseatic Republics of Lubeck, Bremen, or Hamburg, or either of them, on the other part, shall have given notice of their intention to terminate the same: each of the said contracting parties reserving to itself the right of giving such notice to the other, at the end of the said term of twelve years; and it is hereby agreed between them, that, at the expiration of twelve months after such notice shall have been received by either of the parties from the other, this Convention, and all the provisions thereof, shall, altogether, cease and determine, as far as regards the States giving and receiving such notice; it being always understood and agreed, that, if one or more of the Hanseatic Republics aforesaid, shall, at the expiration of twelve years from the date hereof, give or receive notice of the proposed termination of this Convention, it shall nevertheless, remain in full force and operation, as far as regards the remaining Hanseatic Republics or Republic, which may not have given or received such notice.

ARTICLE XI

The present Convention being approved and ratified by the President of the United States, by and with the advice and consent of the Senate thereof; and by the Senates of the Hanseatic Republics of Lubeck, Bremen, and Hamburg, the ratifications shall be exchanged at Washington within nine months from the date thereof, or sooner if possible.

In faith whereof, we the Plenipotentiaries of the contracting parties, have signed the present Convention; and have, thereto, affixed our seals.

Done, in quadruplicate, at the City of Washington the twentieth day of December, in the year of our Lord one thousand eight hundred and twenty seven, in the fifty second year of the Independence of the United States of America,

[Signed] [L S] H. CLAY
[L S.] V RUMPFF.

CONVENTION D'AMITIE, DE COMMERCE, ET DE NAVIGATION, ENTRE LES REPUBLIQUES LIBRES ET ANSEATIQUES, DE LUBECK, BREMEN, ET HAMBOURG, ET LES ETATS UNIS D'AMERIQUE.

La Republique et Ville libre et Anseatique de Lubeck, la Republique et Ville libre et Anseatique de Hambourg, (chacun de ces Etats pour soi separement) d'une part; et les Etats Unie d'Amerique, d'autre part; desirant accorder plus de facilites a leurs relations commerciales, et etablir les privileges de leur navigation sur les bases de la liberalite la plus etendue; sont convenus d'arreter d'une maniere claire, distincte, et positive, par une Convention d'amitie, de commerce, et de navigation, les regles qui doivent etre observees entre eux.

Pour atteindre ce but desirable, le Senat de la Republique et Ville libre et Anseatique de Lubeck, le Senat de la Republique et Ville libre et Anseatique de Bremen, et le Senat de la Republic et Ville libre et Anseatique de Hambourg, ont muni de pleins pouvoirs, Vincent Rumpff, leur Ministre Plenipotentiare pres les Etats Unis d'Amerique; et le President des Etats Unis d'Amerique a muni de pleins pouvoirs Henri Clay, leur Secretaire d'Etat; lesquels, apres avoir echange leurs dits pleins pouvoirs, trouves en bonne et due forme, ont arrete les articles suivans:

ARTICLE I.

Les parties contractantes conviennent que toutes sortes de productions, manufactures, ou marchandises, provenant de quelque pays etranger que ce soit, qui, de temps a autre pourront etre legalement importees dans l'une, desdites Republiques Anseatiques de Lubeck, Bremen, et Hambourg par leurs propres batimens, pourront aussi y etre importees par les batimens des Etats Unis; et qu'il ne sera impose ni percu sur le tonnage ou la cargaison du batiment, d'autres, ni de plus forts droits, soit que l'importation ait lieu par batimens de l'une desdites Republiques, soit par ceux des Etats Unis. Et pareillement, que toutes sortes de productions, manufactures, ou marchandises, provenant de quelque pays etranger que ce soit, qui, de temps a autre, pourront etre legalement importees dans les Etats Unis, par batimens desdits Etats, pourront egalement y etre importees par les batimens desdites Republiques Anseatiques; et qu'il ne sera impose ni percu sur le tonnage ou la cargaison du batiment, d'autres, ni de plus forts droits, soit que l'importation ait lieu par batimens de l'une des parties, soit par ceux de l'autre. Elles conviennent, en outre, que tout ce qui pourra etre legalement exporte ou re exporte, pour quelque pays etranger que ce soit, par batimens de l'une des parties contractantes, pourra egalement en etre exporte ou re exporte, par ceux de l'autre partie; et les memes droits, primes et remboursemens de droits seront percus et alloues soit que l'exportation ou la re exportation ait lieu par batimens de l'une des parties, soit par ceux de l'autre. Il ne sera impose dans les ports de l'une des deux parties, sur les batimens de l'autre, aucuns droits ou charges, de quelque nature, qu'ils puissent etre, plus forts ou autres que ceux qui seront impose dans les memes ports sur les batimens nationaux.

ARTICLE II.

Il ne sera impose d'autres, ni de plus forts droits sur l'importation dans les Republiques libres et Anseatiques de Lubeck, Bremen, et Hambourg des articles provenant du sol ou des manufactures des Etats Unis; et il ne sera impose d'autres ni de plus forts droits sur l'importation dans les Etats Unis des articles provenant du sol ou des manufactures desdites Republiques, que ceux qui sont, ou seront imposesa sur les memes articles provenant du sol ou des manufactures de tout autre pays etranger. De meme, il ne sera impose, par l'une des parties, sur l'exportation de quelque article que ce soit, pour les Republiques libres et Anseatiques, de Lubeck, Bremen, et Hambourg, ou pour les Etatqs Unis, respectivement, d'autres, ni de plus forts droits que ceux qui sont ou seront imposes sur l'exportation des memes articles pour tout autre pays etranger. De meme, il ne sera impose sur l'importation ou sur l'exportation des articles provenant du sol ou des manufactures des Republiqees libres et Anseatiques de Lubeck, Bremen, et Hambourg, ou des Etats Unis a l'entree au a la sortie des ports des Republiques Anseatiques, ou de ceux de l'autre partie, aucune prohibition qui ne soit pas egalement applicable a toute autre nation.

ARTICLE III.

Il ne sera accorde, ni directement, ni indirectement, par l'une ou par l'autre des parties contractantes, ni par aucune compagnie, corporation, ou agent agissant en son nom, ou par son autorite, aucune priorite ou preference quelconque, pour l'achat d'aucune production du sol ou de l'industrie de leurs Etats respectifs, importee, dans le territoire de l'autre a cause, ou en consideration de la nationalite du navire qui aurait transporte cette production, soit qu'il appartinne a l'une des parties, soit a l'autre: l'intention bien positive des deux parties contractantes etant qu'aucune difference ou distinction quelconque n'ait lieu a cet egard.

ARTICLE IV.

En consideration de l'etendu limitee des territoires des Republiques de Lubeck, Bremen, et Hambourg, et de l'intime liaison commerce et de navigation subsistante entre ces Republiques; il est ici stipule et convenu, que tout navire appartenant exclusivement a un ou plusieurs citoyens de l'une ou des autres desdites Republiques, et dont le capitaine sera aussi citoyen de l'une desdits Republiques; pourvu que les trois quarts de l'equipage se composent de citoyens ou sujets d'une ou de plusieurs desdites Republiques, ou d'un ou de plusieurs des Etats de la Confederation Germanique; ledit navire sera considere pour tous les objets de cette Convention, comme navire appartenant a Lubeck, Bremen, ou Hambourg.

ARTICLE V.

Tout batiment, ainsi que sa cargaison appartenant a l'une des Republiques Anseatiques de Lubeck, Bremen, et Hamburg, et venant de l'une des ports desdites Republiques aux Etats Unis, sera considere, pour tous les objets de cette Convention, comme venant de la Republique a laquelle il appartient, quoique dans le fait, ce port ne soit pas celui ou il aurait fait voile; et tout batiment des Etats Unis, ainsi que sa cargaison, trafiquant, directement, ou successivement, avec les ports de Lubeck, Bremen, et Hambourg, sera place, pour ces memes objets, sur le meme pied qu'un batiment Anseatique et sa cargaison, faisant le meme voyage.

ARTICLE VI

Il est, en outre, convenu, que les negocians, capitaines de navires, et autres citoyens des deux parties, pourront, eux memes, diriger librement leurs propres affaires, dans tous les ports et places soumis a la jurisdiction de chacune d'elles, tant pour ce qui a rapport a la consignation et a la vente en gros et en detail de leurs denrees et marchandises, que pour ce qui regarde le chargement, dechargement, et expedition de leurs batiments, en se conformant aux lois, decrets et usages y etablis, auxquels les citoyens de l'etat sont assujettis; ils seront, dans tout ces cas, traites comme sujets de la Republique dans laquelle ils resideront; ou, du moins, ils seront places sur le meme pied que les citoyens ou sujets de la nation la plus favorisee.

ARTICLE VII.

Les citoyens de chacune des parties contractantes pourront disposer de leurs biens personnels, dans les limites de la jurisdiction de l'autre, par vente, donation, testament ou autrement; et leurs heritiers, etant citoyens de l'autre partie, succederont aux dits biens personnels, soit en vertu d'un testament, soit *ab intestato*; ils pourront en prendre possession, soit en personne, soit par d'autres agissant en leur place; et ils en disposeront, a leur volonte, en ne payant d'autres droits que ceux auxquels les habitans du pays ou se trouvent lesdit biens, sont assujettis en pareille occasion. Et si, dans le cas de biens immeubles, lesdits heritiers ne pouraient entrer en jouissance de l'heritage, a cause de leur qualite d'etrangers, il leur sera accorde un delai de trois ans, pour en disposer a leur gre, et pour en retirer le produit sans obstacle, et exempt de tous droits de detraction, de la part des gouvernements des Etats respectifs.

ARTICLE VIII.

Les deux parties contractantes promettent, et s'engagent formellement d'accorder leur protection speciale aux personnes et propriet es des citoyens de chacune d'elles, quelles que soient leurs occupations, qui pourraient se trouver dans les territoires soumis a leur jurisdiction, soit pour y voyager soit pour y sejourner; leur accordant pleine liberte de recourir aux cours de justice, pour leurs affaires litigieuses, aux memes conditions qui seront accordees, par l'usage, au citoyens du pays ou ils se trouveront; et d'employer, dans leur proces, pour la defense de leurs droits, tels avocats, avocres, notaires, agens ou mandataires qu'ils trouveront convenable de choisir; et lesdits citoyens, et leurs agens, jouiront de la meme liberte que ceux du pays d'assister aux decisions, et sentences des tribunaux, dans tous les cas ou ils s'y trouveront interesses, ainsi qu' a l'examen des temoins qui seraient appeles dans les dits proces.

ARTICLE IX.

Les parties contractantes desirant vivre en paix et harmonie avec toutes les nations de la terre, en observant envers chacune, egalement, une politique franche et amicale; s'engagent mutuellement a n'accorder aucune faveur particuliere a d'autres nations, en fait de commerce et de navigation, qui ne devienne aussitot commune a l'autre partie; et celle ci jouira de cette faveur gratuitement, si la concession est gratuite, ou en accordant la meme compensation, si la concession est conditionnelle.

ARTICLE X.

La presente Convention sera en vigueur pendant douze ans a dater de ce jour; et au dela de ce terme, jusqu'a l'expiration de douze mois apres que l'un ou l'autre des Gouvernment des Republiques Anseatiques de Lubeck, Bremen, et Hamburg, d'une part, ou le Gouvernement des Etats Unis, d'autre part, aura, annonnce a l'autre son intention de la terminer; chacune des parties contractantes se reservant le droit de faire a l'autre une telle declaration, au bout des douze ans susmentionnes; et il est convenu entre elles, qu'a l'expiration de douze mois apres qu'une telle declaration de l'une des parties aura ete recue par l'autre, cette Convention, et toutes les stipulations y contenues, cesseront d'etre obligatoires, par rapport aux Etats qui donneront ou recevront cette declaration: bien entendu et convenu que si l'une ou plusieurs desdites Republiques Anseatiques, a l'expiration de douze ans, a dater de ce jour, donnent ou recoivent la declaration de la cessation proposee de cette Convention, ladite Convention restera, neanmoins, en pleine force et effet par rapport a celle ou a celles des Republiques Anseatiques, qui n'auront, ni donne ni recu cette declaration.

ARTICLE XI.

La presente Convention etant approuvee et ratifee par les Senats des Republiques Anseatiques de Lubeck, Bremen, et Hamburg, et par le President des Etats Unis, par, et avec l'avis et le consentment du Senat desdits Etats, les ratifications en seront echangees a Washington dans l'espace de neuf mois, a dater de ce jour, ou plutot, si faire se peut.

En foi de quoi les Plenipotentiaries des parties contractantes ont signe la presente

Convention, et y ont appose leurs sceaux.

Fait par quadcuplicats, en la Cite de Washington, le vingt Decembre, l'an de Grace mille huit cent vingt sept. et le cinquante deuxieme de l'Independance des Etats Unis d'Amerique.

[Signe] [L. S.] V. RUMPFF.
[L. S.] H CLAY.

And whereas, the said Convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington, on the second day of June, one thousand eight hundred and twenty-eight, by Henry Clay, Secretary of State of the United States, and Vincent Rumpff, Minister Plenipotentiary of the free Hanseatic Republics of Lubeck, Bremen, and Hamburg, near the said United States, on the part of their respective Governments.

Now therefore, be it known, that I. JOHN QUINCY ADAMS, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every clause and article therof, may be observed and fulfilled with good faith by the United States, and the citizens thereof.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the City of Washington, this second day of June, in the year of our Lord one thousand eight hundred and twenty eight, and of the Independence of the United States the fifty-second.

JOHN QUINCY ADAMS.

By the PRESIDENT:
H. CLAY *Secretary of State.*

The blue Yarn Stockings.—When Doctor Franklin was received at the French Court as American Minister, he felt some scruples of conscience, in complying with their fashions as to dress. "He hoped," he said to the minister, "that as he was a very plain man, and represented a plain, republican people, they would indulge his desire to appear at court, in his usual dress. Independent of this, the season of the year, [said he] renders the change from warm yarn stockings to the fine silk, somewhat dangerous."

The French Minister made him a bow, and said that fashion was too sacred a thing for him to meddle with, but he would do himself the honour to mention it to his majesty.

The King smiled and returned word, that Dr. Franklin was welcome to appear at Court, *in any dress he pleased.* In spite of that delicate respect for strangers for which the French are so remarkable, the courtiers could not help staring at first at Dr. Franklin's Quaker like dress, and especially his "*blue yarn stockings.*" But it soon appeared, as though he had been introduced upon this splendid theatre, to demonstrate that great genius like true beauty, "*needs not the aid of ornament.*" The court were so dazzled with the brilliancy of his mind, that they never looked at his stockings. And while many other ministers who figured in all the *gaudy* fashions of the day, are now forgotten, the name of Franklin is still mentioned in Paris, with all the ardour of the most affectionate enthusiasm.

The Federal Court for the District of North Carolina, adjourned on Monday last. The case of the Rev. Jonathan Whitaker vs. Rev. Frederick Freeman—charge, a libel—we understand, was the only important one, that came before the Court. This case has been long pending, and has been frequently noticed in the public prints. It is therefore unnecessary to mention its details. After two days investigation, the Jury brought in a verdict for the plaintif of $2000 damages. A motion was made by the defendant for a new trial, which was overruled by the Court. — *Raleigh Star.*

Steam boats are running, both up and down the Mississippi river, (says the Memphis, Tennessee, paper, of the 18th Oct.) in much greater numbers than usual at this season of the year. The communication with Louisville is kept open, as we learn, by means of several Boats of shallow draft, that ply regularly between the mouth of Ohio and that port. To New Orleans, shipments of produce may be made, and passages procured from this place, at this moment, with but little or no delay; and without, as we belive, any greater risk of infectious disease, to be found on the river, than in the interior of the State. To St. Louis, opportunities are also frequnt. —

From France.—Paris papers to the 6th October, have been received at New York. They give no further news from the seat of war in the East. Drought and heat at Madrid had caused a fatal mortality in that metropolis at the last advices. An earthquake had overthrown several small towns in the neighborhood of Mercia, in Valencia, and the inhabitants had left them for the interior.

GENERAL ASSEMBLY.

SENATE.

Monday, Nov. 17.

After the qualification of the members, the Senate proceeded to the election of a Speaker.

On the first balloting, the votes stood as follows:

Speight, of Greene, 17; Spaight, of Craven, 16; Wellborn, 8; Davidson, 9; Scattering, 4;—*Second Balloting*—Speight, of Greene, 17; Spaight, of Craven, 17; Wellborn, 8; Davidson, 8; Scattering, 4.

Tuesday, Nov. 18.

The name of Lewis D. Wilson, being added to the nomination for Speaker, two other ballotings were had, which resulted as follows:

Speight, of Greene, 21; Spaight, of Craven, 11; Wilson, 9; Davidson, 7; Welborn, 5 withdrawn; Scattering, 1; *Fourth Balloting.*—Speight, of Greene, 28; Spaight, of Craven, 11; Davidson, 7; Wilson, 6; Scattering, 3.

Mr Speight of Greene was declared duly elected.

James W. Clark was re-appointed Principal Clerk, and S. F. Patterson, Assistant Clerk.

The two Houses proceeded to ballot for three Engrossing Clerks—which resulted in the election of Wm. I. Cowan, Thomas Dews, and Thos. G. Stone.

A writ of election was issued to the Sheriff of Caswell, directing an election to be held on the 24th inst. to supply the vacancy occasioned by the death of Bartlett Yancey.

Wednesday, Nov. 19.

Mr. Mebane presented a resolution that a committee be appointed, consistiug of two members to report rules for the government of the Senate, and until such rules be reported, those of the last session to govern their deliberation's—which being read the Speaker decided it to be out of order. Mr. Mebane appealed from the decision of the Chair to the Senate, and was sustained in his appeal. The resolution was then adopted, and Messrs. Mebane and Wilson appointed the committee.

The Speaker presented the following letter from the Hon. *Nathaniel Macon*, tendering his resignation as Senator in Congress, Trustee of the University, and Justice of the Peace for Warren.

BUCK SPRING, 14, NOV. 1828.

The General Assembly of North Carolina.

GENTLEMEN: Age and infirmity render it proper for me to retire from public service. I therefore resign the appointment of Senator to the University of the State, and that of Justice of the Peace for the county of Warren.

In retiring from the service of the State, I want words to convey to the Legislature, and, through them, to the people, my thanks and gratitude for their kindness and the confidence reposed in me. There are feelings which words cannot express. Mine are of this kind. I may however be permitted to add, that no person can be under more obligations to a State than I am to North Carolina, nor feel them more strongly; and that duty alone has induced me to resign.

I am, gentlemen, with the utmost respect and esteem, yout obedient and humble servant,

NATHL. MACON.

Thursday, Nov. 20.

The Senate proceeded to the appointment of their standing committees.

On motion of Mr. Shober, that part of the Governor's Message relating to the Tariff, was referred to a select committee—that portion of it relative to Internal Improvement, was referred to a select committee, that part which relates to the Banks, was referred to a select committee—that part which relates to the Judiciary, was referred to a select committee.

On motion of Mr. Alexander, so much of said Message as relates to certain reports and resolutions adopted by the Legislatures of Georgia, South Carolina, Ohio and Vermont, on the the subject of African Colonization, was referred to a select committe—so much as relates to certain resolutions from the same States, on the subject of the exercise of certain powers by the General Government was referred to a select committee; and so much as relates to certain proposed amendments to the Constitution by the same States, was referred to a select committee.

Friday, Nov. 21.

Mr. M'Farland presented a bill for the education of the poor children of the State of North Carolina; to repeal an act passed in 1823, to regulate the County Courts of Richmond—which bills were read the first time, and the first mentioned, ordered to be printed.

On motion of Mr. Croom, a select committee, were appointed to enquire into, and report unto upon the expediency of reducing the damages now given by law on bills of Exchange.

On motion of Mr. Wellborn,

Resolved, That a joint select committee be appointed, to take into consideration the expediency of reducing the price of vacant and unappropriated lands.

Saturday, Nov. 22.

The bill to repeal an act passed in 1823, regulating the County Courts of Richmond, passed its second and third reading and was ordered to be engrossed.

A message was received from the House of Commons, stating that they have passed a bill to establish Bethel Academy, in Duplin county, and to incorporate the Trustees thereof—a bill appointing Commissioners for the town of Snow Hill, in Greene County, and a bill to encourage the destruction of Wolves in Ashe—which having been read three times, were ordered to be *enrolled.* [They are therefore Laws.]

The following bills were presented:—By Mr. Mannis, a bill for the inspection of Steam Mill Lumber. By Mr. Reinhardt, a bill giving compensation to Patrollers. These bills were read the first time, and the last mentioned referred to the Judiciary committee.

HOUSE OF COMMONS.

Monday, Nov. 17, 1828.

A quorum of members of the Legislature o North Carolina appearing, the two House were called to order by their respecve Clerks, and the oaths og office administered.

The members having been qualified, Thomas Settle of Rockingham, was unanimously chosen Speaker.

Pleasant Henderson, was appointed Principal Clerk; Charles Manly, Clerk Asistant; John Lumsden Doorkeeper; and Richard Roberts, Assistant Doorkeper.

On motion of Mr. Bynum a committee was appointed to draft rules and regulations for the government of the deliberations of this House. This committee consists of Messrs. Bynum, Waddell, Hendenhall and Montgomery.

A message was sent to the Senate proposing to appoint a joint select committee for the purpose of amending the joint rules for the government of intercouse of the two Houses, which was concurred in. Messrs Wellborne, Mebane, Spaight of Craven, Miller and Ward, compose this committee on the part of the Senate; and Messrs Swain, Ruffin, Newland, Allison and Hellen, on the part of the House.

Tuesday, Nov. 18.

On motion of Mr. Ruffin, a writ of election was issued to the Sheriff of Caswell directing an election to be had on the 24th inst. to supply the vacancy occasioned by the death of C. D. Donoho.

At 12 o'clock, the message was received from the Governor.

Mr. Potter presented a bill to reduce and fix the salaries and fees of certain public officers therein named. [Provides that the Judges of the Supreme Court shall receive $1500 per annum—the Judges of the Superior Courts $60 for every Court they hold—the Public Treasurer $1200—the Comptroller $800—and proposes also to reduce the salary of the Secretary of State, and the fees of the Clerks of *the several Courts*—though the retrenchment contemplated in the office last named, is not stated.]

Mr. Gaston made a question of order and objected to the passage of the bill, on the ground that it was irregular to pass a bill before the organization of both Houses of the Assembly. The Speaker decided it to be in order. From this decision Mr. G. appealed—which appeal was sustained by the House, and the bill, on motion, was ordered to lie on the table. After the House were informed of the organization of the Senate, the said bill was read the first time, and referred to a Select Joint Committee—consisting on the part of this House of Messrs. Potter, Swain, Newland, Edmonston and Battle.

Wednesday, Nov. 19.

The Speaker laid before the House a Report from the Public Treasurer, exhibiting the State of the Treasury, which was ordered to be printed.

Mr. Callaway presented a bill for the destruction of Wolves in the county of Ashe—Read the first time.

On motion of Mr Swain,

Resolved, That the Public Treasurer be instructed to obtain and communicate to this House as early as practicable, a detailed statement of the accounts of the State Bank of North Carolina, and the Banks of Newbern and Cape Fear with the State of North Carolina, from the period of the establishment of these Institutions to the close of the last fiscal year.

Mr Bynum, from the committee appointed on the subject, reported rules of order for the government of the House, which were concurred in.

The following members were named by the Speaker to constitute a Committee on the Judiciary: Messrs. Nash, Gaston, Swain, Spruill, Waddell, Eccles, Potter, Wheeler and Bynum

Thursday, Nov. 20.

The House proceeded to the appointment of its standing Committees.

That part of the Governor's Message relating to the Banks, was referred to a select committee.

That part of the message which relates to Internal Improvements, was referred to the committee on that subject.

That part which relates to the memorial of the citizens of Haywood county, was referred to a select committee.

So much as refers to the draining of Swamp Lands, was referred to the committee of Internal Improvements.

So much as relates to the Tariff, was referred to a select committee.

So much as relates to the outlets of the waters of Albemarle Sound to the Ocean, was referred to the Committee on Internal Improvements.

The Public Treasurer was requested to lay before this House immediately, a transcript of so much of his report of an annual exposition of the several Banks of this State, from the periods at which they were established.

A message was received from the Senate dissenting from the proposition of the House, to refer to a joint select committee, the bill to reduce and fix the salaries of certain officers therein named.

The bill for the destruction of Wolves in the county of Ashe, was read the second and third time and ordered to be engrossed.

Mr. Clayton presented a bill to repeal an act, fixing the sum hereafter to be paid for vacant lands, which passed its first reading; and

Mr. Wheeler presented a bill to explain an act passed in 1827, to reduce the number of petty musters to *two* in the year, which was read and referred to the Military committee.

Friday, Nov. 21.

On motion of Mr. Nash, the Judiciary committee were instructed to inquire whether any amendment is necessary in the law as it now stands, on the subject of the trial of prisoners charged with a capital offence, with leave to report by bill or otherwise.

A message was received from the Senate and concurred in, proposing to ballot on Monday next, for a Senator for six years, from the 4th of March, and stating that the name of John Branch is in nomination.

A message was received from Governor Iredell, transmitting the Report of Romulus M. Saunders, the Commissioner appointed under the provisions of an act passed at the last session, to contract for the purchase of reservations still claimed by the Cherokee Indians, together with sundry documents—which were sent to the Senate with a proposition to refer them to a select joint committee, and to print the report,

On motion of Mr. Spruill, the Judiciary Committee were instructed to enquire into the expediency of amending the laws relating to mortgages and deeds in trust, as more effectually to prevent the frauds practised under the existing laws.

On motion of Mr. Cox, the Judiciary committee were instructed to enquire into the expediency of so amending the laws relative to Administrators and Executors, that no judgment shall be given against any Administrator or Executor for a certain length of time from the qualification of Administrator or Executor.

Mr. Gillespie presented a bill to establish Bethell Academy in the county of Duplin, and to incorporate the Trustees thereof—which having been read 3 times was ordered to be engrossed.

On motion of Mr. Mhoon, the Judiciary committee were instructed to enquire, what alterations, if any, are necessary in the laws of this State, upon the subject of Widows' dower.

Saturday, Nov. 22.

The Speaker laid before the House, the report of William Robards, surviving Commissioner appointed to superintend the sale of the property of the late Treasurer, John Haywood, which was referred to the committee of Finance, and ordered to be printed. [It appears from this statement, that the sum arising from the sale of the lands and negroes of the late Treasurer, (after deducting a fourth of the amount produced by the sale of lands given to Mrs. Haywood, in lieu of her dower,) is $32,341 25]

Messrs. Clayton, Gregory, Blackledge, Alexander, and Britain of Haywood, were appointed, on the part of this House, a committee to join that from the Senate, to enquire into the expediency of reducing the price of vacant lands.

On motion of Mr. Gary, that part of the Governor's message which relates to the complaints of some of the Western counties, on account of the short term of their Superior Courts, was referred to the Judiciary committee.

On motion of Mr. Sanderson, the Judiciary committee were instructed to inquire into the expediency of amending the act passed in 1826, concerning the trading with slaves, so as more effectually to prevent the selling of powder and shot to slaves.

On motion of Mr. Bozman, the Judiciary committee were instructed to enquire into the expediency of establishing a separate and distinct Court of Equity.

On motion of Mr. Blackledge, a message was sent to the Senate, proposing the appointment of a select joint committee, to enquire into the expediency of electing Sheriffs by the people.

Mr. Potter submitted a resolution, which was, that the committee on Banks be directed to enquire into the following points:

1st. The mode in which the Stock of the several Banks was raised and paid.

2d. The amount of specie on hand at the time they went into operation, and at other periods since.

3d. The amount of notes put into circulation by the Banks, from time to time since their organization.

4th. The amount of notes discounted, from time to time, since their organization.

5th. The amount of debts due them from time to time, since their organization.

6th. Whether they have paid specie, on demand, for their notes, since their organization.

7th. Whether they have observed that provision of their charters, which requires that they should take six per cent. on account of their bonds and discounts, and *no more.*

8th. Whether they have not carried on a system of extortion against those indebted to them, by requiring them to pay the attornies of the Banks, large and illegal fees, as the only condition on which they should be allowed to renew their notes, which suit had been brought, and any other point, which the committee may deem worthy of investigation; and that the said committee, in order that they may be enabled to prosecute their enquiry effectually, be authorised to send for persons and papers examine the same on oath or otherwise, and that the said, commmittee be authorived to command the attendance of the officers of this house as their executive officers.

FOR THE WESTERN CAROLINIAN.

In pursuance of previous notice, on Monday the 17th inst. a number of the Citizens of Iredell County, met at the Court House in Statesville, for the purpose of considering the propriety or expediency of establishing a factory of wool or cotton, in this section of country.

Col. Thomas A. Allison was called to the chair, George F. Davidson, Esq. and Thomas Kerr appointed Secretaries.

The object of the meeting was explained at some length, by John Mushat, Esq.

On motion: Thos. A. Allison, Samuel King, Genl. George D. Davidson. William F. Cowan, Capt. James J. Byars, John Sloan, Esq. Capt. Geo. F. Davidson, Thomas Kerr, George Flowers, Esq. Cyrus Simmonds, Rev. James Patterson, Richard Allison, Gen. Ephram Davidson, John Mushat, Esq. Maj. William Potts, William Harbin, Esq. Alexander Torrence, Esq. Joseph W. Murdock, Absalom Simonton, John M. Young, Col. Francis Young, Jos. Chambers, Esq. John Tomlinson, Jos. H. Hall, Robert Hall, Hosea Redman, James Campbell Esq. and James A. King be a committee, whose duty it shall be, to collect such information, as may be in their reach, respecting manufactory establishments, and make report of the same, to a meeting of the Citizens of Iredell county, who are invited to attend at the Court House, on Tuesday of our next Feb. county court; and that the said committee, convene in Statesville, on Monday of the said court, for the purpose of preparing an address, to be submitted to the citizens of said county at their general meeting, on the following day:

Resolved that a copy of these proceedings, be sent to the Editors of the Western Carolinian, and Yadkin and Catawba Journal for publication.

THOS. A. ALLISON, *Chairman.*
GEO. F. DAVIDSON, & THO'S KERR, *Secretaries.*

Kentucky Judiciary.—This State is certainly most unfortunate in its judicial administration. The "new" and the "old" court business for a long time threw every thing into confussion. We notice recently that their Court of Appeals is in a state of similar derangement. Two of the Judges prepared their letters of resignation, but were prevailed upon to withdraw them in order to hold another regular Session of the Court; but the Chief Justice (Bibb) refused to recognize them as Judges; most strongly arguing that the mere act of writing their resignations rendered them *functus officio!* Whereupon they proceeded to open court without the Chief Justice.

Guatemala.—We received yesterday, by the arrival of the brig Calais Packet, 35 days from Omoa, the Honduras Gazette of the 27th Sept. It contains very little news. The war in Guatemala still continues without any abatement of its violence. The Government of Guatemala had refused to grant passports to such of its citizens, as were desirous of visiting the British colony on the Balize. The reason offered is, that such persons would disclose the transactions of the republic with regard to the Guatemalian Loans. These loans we believe were made to the government for mining purposes, but the mines hitherto have not yielded one cent, and it is expected they never will, unless the bondholders go in person and labour at them. These mines are said to be really more abundant than those in Mexico, because the Kings of Spain invariably ordered the mines of Mexico should be worked, whilst those of Guatemala should be reserved for future ages.

N. Y. Mour. Com.

FOREIGN INTELLIGENCE.

Mexico.— A letter from Vera Cruz dated the latter part of September, is published in the National Gazette of Wednesday, giving the particulars of certain insurrectionary movements under the direction of Gen. St. Ana. This chief, it will be recollected, declared his intention of effecting a revolution in case his favorite, Guerrero, should not be elected President. That event did not take place, and St. Ana with 1000 men, took possession of the fort at Perote. A force of 4000 under Gen. Rincon, was sent to reduce him; which, at the last dates, had advanced within seven leagues of Perote. It is thought that St. Ana will immediately surrender.

Brazil.—The American citizens at Montevideo, have transmitted to Mr. Tudor, a memorial similar to that addressed to Capt. Hoffman, which we published on Thursday, respecting the aggressions committed by the naval officers of Brazil, and the injustice practised by the Admiralty court of that empire, upon American commerce with particular reference to the case of the sch. Tell Tale. This document is couched in very indignant terms, and signed by twenty eight persons, principally shipmasters and merchants.

Spain has been visited with divers physical calamities. At Madrid, in the latter part of September, the number of sick was extraordinarily great; the disease which prevailed, and which was augmented by contined heat and drought, was extremely malignant, and in most cases fatal. In the neighborhood of Murcia, towards the borders of the Mediterranean, several tremendous earthquakes were felt on the 13th and two following days of September. In some of the towns every house was prostrated; in others many were entirely demolished or irremediably injured. The inhabitants of Murcia were preparing to leave that city, and the utmosts consternation prevailed in that quarter of the kingdom.

The Sicilies. A large naval armament is to be fitted out at Naples to cruise against the Tripolitans. Meantime, a squadron has been detached to keep in check the corsairs of Tripoli, who are preying upon the commerce of his majesty the king of the two Sicilies.

Greece.—The Egyptian troops are evacuating the Morea with all possible dispatch. Ibrahim declared that if the least hindrance was interposed by the allies, all the former conventions would be considered broken, and that he would not leave the Morea alive. In consequence of this declaration, Gen. Maison, who had invested Coron, immediately retired with his forces to Calamata: and the embarkation of the Egyptians proceeded —6000 had already sailed. It is stated that the Porte was exceedingly displeased with the arrangements made by Ibrahim; who excused himself by saying that he was compelled thereto, by the English Admiral's threat to blockade all the Egyptian ports, and to bombard Alexandria.

It is stated in a Lyons paper, that the Hydriots have signed a memorial, praying that their island may be taken under the protection of the French government. It is added, that the inhabitants of other islands have expressed a similar wish; and that the people of the Morea are desirous of coming under the dominion of Russia. It is difficult to believe that Greece, at the very moment of becoming independent, should thus voluntarily resolve on her own dismemberment, and total dissolution as a nation.

Russia and Turkey.—There was a report by way of Hamburg, that Varna had surrendered. This arose probably from the circumstance that the counterscarp of one of the bastions had been blown up on the 14th September, in consequence of which the Russians summoned the garrison to surrender; but during the negotiation which ensued, the Turks repaired the mischief, and refused to submit. The Russians then recommenced cannonading on the 17th, the date of the last advices from Varna.

It is probable, that the Emperor Nicholas will spare no sacrifice to obtain possession of Varna, before that period of the season arrives, at which the campaign must close. If it do not capitulate, and an attempt be made to carry it by storm, the carnage will be dreadful; for it is stated in private letters, written by Russian officers serving with the besieging army, that the garrison, 25,000 strong, was resolved to defend the place to the last extremity.

Salisbury:

DECEMBER 2, 1828.

☞ In consequence of the crowded state of our columns, we have been under the necessity of omitting, for two weeks, several advertisements; for which we offer this as an apology, to our advertising customers.

By reference to the proceedings of the General Assembly, it will be seen that Mr. Potter has introduced a bill into the House of Commons, to reduce the salaries and fees of several public officers. The present salaries are not *more* than sufficient to induce men of the first order of talents to serve in a public capacity—witness the frequent resignations of judges of the Superior Court, and their return to the bar. Though friends of reform where it is needed, still we believe that public parsimony is poor economy.

On our fourth page, will be found a part of the Governors Message, we shall publish the remainder in our next paper. Retrenchment of private expenditure, as recommended by Gov. Iredell, is without question, the remedy for the oppression under which we labour, at the present time. A remark made 2000 years ago, is most emphatically true, and applicable to our present condition.

Oh! Dii Immortales! non intelligunt homines, quam magnum vectigal sit parsimonia.

UNFORTUNATE STAGE ACCIDENT.

As the Southern Stage was returning to this town, from Concord; the horses were frightened, by the breaking of the double-tree, and ran away. Mr. John L. Graham of this town, in leaping from the stage, broke his leg. By the presence of mind of the driver (Mr. Mitchell) and one of the passengers, the horses were soon stopped and further accidents prevented. There were several passengers, in the stage at that time, none of whom, except Mr. Graham, received any injury. This is one of many instances proving that it is much safer to remain in the Stage, than to attempt an escape. We are happy to learn that Mr. Graham is doing well.

Distressing Calamity.—The most extensive fire, probably ever known in this town, occurred on Friday last. In 5 minutes after the alarm was given, columns of flame were seen bursting from the windows and doors of the Apothecary's Shop of Dr. E. Willey & Co. Notwithstanding our citizens repaired to the spot with their wonted alacrity and made extraordinary exertions, all efforts to extinguish the fire were unavailing. The flames soon communicated to the dwelling houses of Dr. Willey and Mr. A. Torrence successively and in two hours from the first alarm the three buildings were in ruins. The store of Mr. A. Torrence and dwelling of Rev. Mr. Rankin were saved with much difficulty, both having been on fire. Very serious fears were entertained for the safety of the town. The fire originated in the store of Dr. E. Willey & Co. where some Spts. of Turpentine had been spilt, the vapour of which communicating with the fire on the hearth soon filled the store with flames. So rapid and so violent was the conflagration that it was impossible to save even the books of Dr. Willey & Co. Their loss, including that of their accounts has been estimated at $4,000. Most of the household Furniture of Dr. Willey (who is absent at the North) and of Mr. Torrence was saved. The other principal sufferer is Dr. L. Mitchell, who we understand had recently purchased the two buildings first burned. Great credit is due to the citizens for their conduct, on this melancholy occasion.

N. B. Our engine did good service on this occasion.

A Stage lately upset near Albany, New-York and, passenger killed. The driver was careless, or the horses—nodoubt.—

A society has been formed in Boston for the detection of Thieves.

Samuel L. Governeur, Esq. son-in-law of ex-president Monroe, is appointed post master of New-York city.

It is said that the Grand Sultan is *amusing* his subjects with reports of victories gained over the Russians. He is not singular in this respect. It is *reported* that the Turks and Russians have discontinued operations before Shumla, until after the decision of the Presidential Contest in this country. *They may now proceed.*

We have received a poetical communication addressed "To our female friends of Rowan and its vicinity." As we would not willingly injure the young author in the esteem of the fair, we must decline publishing it. From some scraps of Latin written on the margin, we presume we may without offence, quote a line from Horace.

Non satis est pulchra esse poemata, dulcia sunto.

The second stanza which is as follows:

"I'd run, or hop, or skip, or *die*, (?)
And e'en perhaps, I'd *gaily die*,
If you could be *diverted*.

Reminds us of the following parody.

"When a young *dandy* stoops to folly,
And finds to late, that girls betray,
What charms can sooth his melancholy?
What art can drive his cares away?"

"The only way his grief to cover,
To hide his shame from every eye,
To act the hero, and the lover,
To *please* the fair one—is, to *die*."

A CARD.

MR. V. DUMILIEU having witnessed the awful conflagration of Friday last, and knowing that its destructive effects have robbed some valuable citizens of their *all*, wishes to appropriate the proceeds of monday evening's erformance at the Apollo Theatre, to such benvolent purpose, as the following Gentlemen (whom he has the honor of numbering among is personal friends,) will direct.

DANL. MEENAN
JUNIUS SNEED
ASHBEL SMITH
EZRA ALLEMONG
S. L. FERAND.

It will be seen by the above card, that Mr. Dumilieu with the liberality characteristic of his nation, has volunteered his talents to repair the calamities of the unfortunate. No one, whatever may be his objections to theatres, can have any scruples about witnessing the extraordinary and instructive philosophical experiments of this gentleman. Our duty is plain.

Since our last, we have received the following returns from this State.

	Jackson.	Adams.
Sampson	599	120
New Hanover	668	147
Brunswick	149	175
Wake	1024	266
Randolph	417	69
Duplin	546	12
Jones	212	28
Lenoir	252	11
Perquimons	301	134
Bertie	571	216
Halifax	708	59
Martin	461	193
Onslow	476	104
Pitt	329	483
Tyrrell	273	20
Washington	315	61
Hyde	247	83
Chowan	225	69
Lincoln	1,491	429
Moore	515	90
Granville	842	167
Currituck	426	65
Camden	396	36
Pasquotank	373	293

ELECTION RETURNS.

Ohio.— Official Returns from his state, give the following result of the Presidential Election. Jackson 67,597—Adams 63,398 Jackson's majority 4,101. Trimble's majority for Governor 2,178.

Pennsylvania.—In this state Jackson received 101,652—Adams, 50,848, leaving a majority of 50,804 for Jackson,

New-York—In the electoral College, Jackson will receive 20 and Adams 15 votes. In the delegation for Congress 18 Jackson, 11 Adams, 1 doubtful. 4 antimasonic—Van Buren's majority for Governor, upwards of 20,000.

Connecticut.—For the Administration, 13,086, for Jackson 4,486.

Maryland.—6 Adams and 5 Jackson electors.

In *Indiana* it is probable the Jackson ticket has prevailed.

In *Georgia*, the the *Troup* ticket has in all probability succeeded.

Delaware.—The legislature of this state convened on the 10th ult. On choosing Presidential Electors, those in favor of the Administration received 19 votes. and those for Jackson 11 votes.

Vermont State Prison—The prisoners in this institution, on the 1st October, were 123. All the expenses of the past year had been paid, except $800, for which there was on hand a large quantity of manufactured articles. The convicts are employed chiefly in weaving. 180,000 yards of cloth were woven the last year, 10,000 of which were double or twilled goods.

The improvements which have been effected in Prison Discipline; within the last 20 to 25 years, must be a source of gratification to every philanthropist. Instead of numbers being huddled together in crowded damp, ill-ventilated dungeons; where the confined and concentrated effluvia, bred the pestilential jail fever surpassing in malignity the plague;—in well conducted prisons at the present time, each prisoner is confined in a solitary well ventilated cell, which conduces equally to his health and a degree of comfort, instead of presenting a squalid, sickly wreck of what was once a *man*. But the physical improvement in the condition of prisoners, is altogether of secondary importance compared with the moral effects of modern discipline. The novice in iniquity, doomed by the laws of his country to a temporary abridgment of his liberty, for having in an evil moment been precipitated into the commission of a crime (for some such are to be found in every extensive prison, notwithstanding the acknowledged gradual progress of offenders) are not returned to the world debased by intercourse with accomplished villains. Now are the latter rendered tenfold worse, and enabled to do ten times the injury to society on their return to it, by comparing notes with their compeers. Nay even such have been *radically* reclaimed. These meliorations of the condition of state criminals, do not all interfere with the objects of imprisonment—far from it—they advance these ends. It has not been found by the experience of 6000 years that severity prevents the commission of crime or reclaims the offender—nothing subdues the soul so certainly and so effectually as *solitary* confinement—consigning the wretch to the tyranny of his own bitter reflections.

On the score of economy, too, much has been gained:—Instead of being an expense of several thousands annually, as not many years since was the case; in several states, prisons have been even a source of revenue—a melancholy consideration—but surely, some return for the depredations on society, ought if possible to be gotten from those who have shown themselves to be the common enemies of mankind. During the six months ending March last, the convicts of Connecticut State Prison (less than 100 in number) afforded a revenue of more than $1000 besides defraying all charges.

This article is already much longer than we intended and we might protract it considerably by entering somewhat into the details of a system of prison discipline which has wrought the most favourable changes in the moral and physical condition of a class of wretches, whom the public weal has rendered it necessary to exclude from the participation of the commonest and dearest human enjoyment—liberty—but who, nevertheless are our brethren. *Ed. Cour.*

A CARD.

Mr. Austin in behalf of Mrs. Willey and family, (the Doctor himself being absent,) tenders his sincere acknowledgements to the Citizens of Salisbury, for their generous efforts in rescuing so much of the furniture as was preserved at the fire, on Friday; and for himself, would remark, that much is due to the Ladies, for their presence and personal exertions in a time of need. They were frequently seen making efforts to secure property, that would have done honour even to the hardier sex. Examples such as were exhibited on that trying occasion even in the midst of danger, are too praiseworthy not to be noticed.

And it may be added that it has several times fallen to the lot of the writer of this; to witness scenes of a similar nature but never on any occasion has he observed so much personal energy and untiring efforts as were displayed by the Citizens generally, and the fire Company particularly.

All that could be, was done. More apparently, could not have been done without additional means which will probably hereafter suggest themselves to the Citizens by the want of them on this occasion.

Strangers, too, who had nothing to loose or gain were seen mingling in the strife, with an energy and a generous sympathy alike honourable to themselves and the cause in which they were engaged. The servants also bore a most conspicuous part. Inshort their exertion, to save property and arrest the progress of the flames, were indefatigable and no doubt deeply and sensibly felt by those who were personally interested. The example is worthy of all praise.

THE MARKETS.

Fayetteville, Nov. 19.—Cotton, 8¼ a 8, 90; Beef, fresh in market, 3a 5 cents; Bacon, 7 to 8; peach brandy, 50 to 60; apple do. 38 to 40; flour, 6 a 7; whiskey, 30 a 35.....United States bank notes, 2 to 2½ per cent. premium; the Market is very lively. Wheat in large quantities sells readily at $1 10 to $1 15.

We have received, by way of New York, extracts from English papers of the 18th October. The importations of flour and grain, had been heavy, the price had considerably declined, and was yet falling, and large quantities were shipping for the north of Spain &c. Thus we fear endeth this nine hundred and ninety ninth British bubble, extending itself into the very interior of our country and injuring many innocent persons. Further advices, however, should be waited for to determine the real state of things. As speculation puffed-up the price, so speculation may have effect to reduce it, too sudddenly or to too great an extent. *Niles.*

A certain Cure for INTEMPERANCE.

THE subscriber has discovered a certain remedy for those who are unfortunately addicted to that most wretched of all vices, the too free use of ardent spirits, a single trial of the prescription will prove its efficacy: letters addressed to the subscriber post paid enclosing two dollars will be promptly attended to, by a remittance of the medicine and directions.

WM. L. AUSTIN.

Jefferson, Ashe county, N. C. 3mt56

N. B. Printers friendly to the cause of the unfortunate drunkards, will please give this an insertion.

State of North Carolina:

DAVIDSON County, Equity: October Term, 1828: Isaac Heate John Heate and John Chadwick vs. William B. Toomey and Geo. W. Montgomery. It appearing to the court that George W. Montgomery one of the defendants in this case; is not an inhabitant of this state; It is therefore ordered, that publication be made for six weeks successively in the Western Carolinian, for the said George W. Montgomery, to appear at the next term of this court, and plead, answer, or demur. Otherwise the bill in this case will be taken pro confesso against him and heard ex parte. RICH'D. M. HOBSON, *c. m. e.*

Nov. 28th 1828. 5t49

State of North Carolina:

DAVIDSON County, Equity: October Term, 1828: John Heate and John Chadwick vs. Wm. B. Toomey and Geo W. Montgomery. It appearing to the court that Geo. W. Montgomery, one of the defendants in the case; is not an inhabitant of this state; It is therefore ordered, that publication be made for six weeks successively in the Western Carolinian, for George W. Montgomery to appear at the next term of this court, and plead answer or demur. Otherwise the bill in this case will be taken pro confesso against him, and heard ex parte.

RICH'D. M. HOBSON, *C. M. E.*

Nov. 28th 1828. 6t49

Trotter & Huntington,

Watch and Clock Makers and Jewellers,

CHARLOTTE N. C.

HAVE just received an elegant assortment of articles in their line; which they will sell very low for cash, or to punctual customers on a credit.

☞ All kinds of Watches repaired, and warranted to perform well.

July 5d. 1828. 23

To Physicians.

FOR Sale, the best country situation for a *Physician* in the Western part of North Carolina. The farm and buildings are small, but remarkably neat, comfortable, and convenient; and is situated in an excellent neighborhood. Terms will be made very accommodating. For further particulars, inquire of the Editor of this paper. 41

Nov. 10th, 1828.

NEW

TAILOR'S SHOP.

THE subscriber respectfully informs his acquaintances, and the public, that he has commenced the

Tailoring Business

in the town of Salisbury, in the *New Shop* on the cross street next door to Mr. *Murphy's Store*, near Mr. Torrence's Store, and convenient to the business part of the town; where he is prepared to execute all kinds of work in his line of business.

He receives the fashions from Philadelphia and New-York regularly as they change, which will enable him to make up fine Coats, &c. in the most fashionable and elegant style. Owing to the hardness of the times, he will work cheaper than heretofore. He hopes his acquaintances and the public will give him a trial, as he feels certain he can please them, both in his work and prices. WADE H. HAMPTON.

Nov. 14, 1828. 41

Watches, Jewelry, &c.

THE subscriber has just returned from the North, with as good an assortment of

Jewelry, Watches, Silver-Ware, &c.

as was ever offered for sale in this place; his Jewelry is of the latest importations, and the most fashionable and elegant kinds to be had in any of the Northern Cities: elegant Gold and Silver *Watches*; plain Do.; &c. &c. And in a few days, he will receive a very elegant assortment of *Military Goods*. Also, all kinds of *Silver-Ware*, kept constantly on hand, or made to order on short notice. All of which will be sold lower than such goods were ever disposed of before in this place.

The public are respectfully invited to call and examine these goods; their richness, elegance, and cheapness, cannot fail of pleasing those who wish to buy.

All kinds of *Watches Repaired*, and warranted to keep time: the shop is two doors below the court-house, on Main-street.

ROBERT WYNNE.

Salisbury, May 26, 1828. 47

Boot and Shoe Making.

THOMAS MULL, Jr.

RESPECTFULLY informs his acquaintances and the public, that, having purchased Mr. *Eben. Dickson's* Boot and Shoe establishment in the town of Salisbury, and employed that gentleman as Foreman of the shop, he is prepared to execute all orders for making

Boots and Shoes,

of every description, on short notice, and for reasonable prices.

He intends constantly to keep a supply of the most superior Northern Leather, and to employ from 15 to 20 first rate workmen; which will enable him to make the most elegant kind of Boots and Shoes for Ladies and Gentlemen, and of the very best materials. He also keeps an assortment of Boots and Shoes constantly on hand, manufactured at his own shop, for the accommodation of those who may wish to be supplied on a sudden emergency.

Owing to the pressure of the times, he will allow a liberal indulgence to those he feels safe in trusting. 13t56

His utmost efforts shall be used to give entire satisfaction to all his customers, and he hopes thereby to secure their continued confidence and patronage. *Salisbury, Nov.* 18, 1828.

Coach Making Business.

BROWN & HARRIS having formed a copartnership in the above business, respectfully inform the citizens of the town of Salisbury and the surrounding country, that they have removed their *Coach Making Establishment* to the building formerly occupied by Jacob Krider, Esq. as a Store, three doors east of the Court House, on Main street; where they are prepared to execute all kinds of work in their line of business, in a style equal if not superior to any ever done in the place. They have on hand, and will continue to make.

Carriages, Gigs, and Sulkeys,

of all descriptions, to order; or sell on accommodating terms to any person wishing to purchase.

From somewhat long experience in their line, and most strict attention to business, they flatter themselves they will be enabled to give entire satisfaction to those who may patronize them.

REPAIRS, of every description, will be done on the shortest notice, and most reasonable terms. NATHAN BROWN,
GEO. M. HARRIS.

Salisbury, Nov. 17, 1828. 42

N. B. Wanted, as an apprentice to the above business, a Boy that can come well recommended, not under 16, nor exceeding 18 years of age. BROWN & HARRIS.

Books, at half Price.

THE stock of Books on hand, belonging to the estate of Hiram Turner, d'c'd. & Co. in Salisbury, is now offered for sale at the one half of the customary retail price, cash, to close the business of the estate. Those wishing to purchase, will do well to call as early as convenient. EZRA ALLEMONG, *Agt.*

November 22d. 1828. 6t47

WANTED

FOR the balance of the year, a *Female Servant*, between the age of 12 and 15 years. To one that can come well recommended, a liberal price will be given. Apply to the Editor of this paper. *Nov. 24th*, 1828. 2t43

WAGONERS,

DRIVING TO FAYETTEVILLE,

WILL find it to their advantage, to stop at the *WAGON YARD*, where every convenience is provided for Man and Horse, to make them comfortable, at the moderate charge of 25 cents a day and night, for the privilege of the Yard, the use of a good house, fire, water, and shelter. Attached to the Yard, are a Grocery and Provision Store, Bread Shop and Confectionary, and a House for Boarders and Lodgers, in a plain, cheap, wholesome and comfortable style. 09

Fayetteville, 1st April, 1828.

Cotton Yarn.

FOR sale, *wholesale and retail*, SPUN COTTON, Number to 615, inclusive, at the Factory prices, from Fayetteville. Apply to

J. MURPHY, *Agent.*

Salisbury, May 5, 1828. [14]

Committed to the Jail

OF Mecklenburg county, on the 16th day of this instant, a negro man, who says his name is *Charles*, and that he belongs to a man by the name of Jacob Austin, of Montgomery county, North Carolina.

JOHN SLOAN, *Sheriff*

Oct. 17, 1828. [39] *of Mecklenburg county.*

Committed to Jail

IN Salisbury, N. C. on the 6th inst. a negro man, who says his name is *John*, that he ran away from his master, John Pegro, about two weeks since, in Columbia S. C.; says he formerly belonged to the estate of Gen. Nat. Cardle, of Sussex county, Virg.; he is about 6 feet high, 32 years old, straight built, black complected, with a small scar above the right eye. The owner is desired to prove property, pay charges, and take him away. F. SLATER, *Mff.*

Sept. 8th, 1828. 3t

The Tailoring Business.

BENJAMIN FRALEY,

STILL carries on the above business, in all its branches, at the shop heretofore occupied by him, on Main street, a few doors east of Mr. Slaughter's Tavern, in the town of Salisbury.

He continues to receive the London, Paris, and Philadelphia *Fashions*, regularly as they change; which will enable him to accommodate Ladies and Gentlemen with the most tasteful and elegant kinds of Garments, made up with as much "*skill*," he hopes, as his neighbors can *rightfully* lay claim to.....of which, however, he is not disposed to boast overmuch, leaving it to the good sense of his customers to be themselves the judges of what is good *taste*. As he employs the best of *journeymen*, and has no *apprentices*, he thinks he has a right to say his work will be well done; and he *warrants* it to fit well. Owing to the great scarcity of money, cheapness of produce, &c. he will work *lower* than any other tailor in this part of the country, who will do *as good work* as he does.

Cutting out, of all kinds of Garments, done on the shortest notice.

He still offers to teach Ward's Patent Protractor system of Tailoring, which is practised by all the fashionable tailors in the United States.

He respectfully solicits a share of the public patronage, and hopes to merit it by *works*, rather than by *extravagant professions*. 36

October 7, 1828.

Fall Fashions!

SILAS TEMPLETON

HAVING been absent on a distant visit the past summer, respectfully informs his old customers and the public generally, that he has returned home, and resumed business, which during his absence was conducted by his partner, Mr. *Lowry*.

They continue at the shop formerly occupied by S. Templeton; and are furnished with the Paris and London Fashions, for Ladies and Gentlemen. These fashions have been more generally admired and adopted by the *Bon Ton* of the Northern Cities, than any hitherto received; and although it requires more than usual skill and *taste* to give them *full effect*, yet the subscribers pledge themselves that their execution of them shall not be surpassed in the Union.

Ladies Habits and Pelieces, and Gentlemen's Clothing, will be made up at prices lower than *such work* was ever heretofore done, in order to conform to the unexampled pressure of the times.

Orders for work from a distance, will be thankfully received, and punctually attended to, according to directions. SILAS TEMPLETON,
SQUIER LOWRY.

Salisbury, Sept. 30, 1828. *4

Important Trust Sale.

BY virtue of a *Deed in Trust* executed to me by Michael Hanes, of Rowan County, for purposes therein expressed, I shall proceed to sell to the highest bidder, on Wednesday, the

21st of January next,

at the dwelling-house of Michael Hanes, the following property, viz:

One valuable tract of Land,

containing *Five Hundred and fifty Acres*, more or less, lying in Rowan County, on the Yadkin River, adjoining George Hanes, J. Sparks, Samuel Jones, &c.

Likewise, his undivided interest, being one-third of a *Five Hundred and forty Acre Tract*, lying in Rowan County, on the Yadkin river, late the property of Samuel Jones, adjoining the lands above mentioned.

Also, an undivided interest in a Tract of Land, known by the name of *Helton's Place*, adjoining the lands of Haynes Morgan, in Rowan County.

Twelve Negroes,

Men, Women, and Children, all very likely.
8 Horses,
Stock of Cattle and Hogs,
Farming Utensils,
Riding Chair and Harness,
1 Still and Tubs.
Household and Kitchen Furniture of every description.

The sale to commence between the hours of twelve and two on the above mentioned day and continue from day to day until all is sold. Terms made known on the day of sale.

JOHN C. BLUM, *Trustee*.

Nov. 10th, 1828 10:50

225,000 acres of LAND FOR SALE!!

THE subscriber will sell two hundred and twenty five thousand Acres of LAND, lying in the counties of Buncombe and Haywood, in the state of North Carolina on the waters of Swannano, French Board, Tuckasege and Oconaluftv Rivers. The healthiness of this section of North Carolina is well known. The Land is of a good quality, and for grazing, surpassed by none, even in the more western states. It lies generally in large bodies; but will be sold in quantities to suite the convenience of purchasers, except one Tract of fifty thousand acres, lying on both sides of the French Broad River, partly in Buncombe and partly in Haywood counties, on which large and rich Banks of *Iron Ore* have recently been discovered. Terms will be made accommodating, by the agent, who may generally be found in Ashville. JAS. COOK, *Agent*.

Nov. 14th, 1828. 6mt66

Mills and Lands.

THE valuable *Mills* and *Lands* formerly the property of Geo. Saner, dec'd. are offered for sale by the late purchasers. This land lies on Dutchman's creek, 4 miles east of Mocksville, adjoining the Giles Mumford tract, and is equal to any land in Rowan county, with a large proportion of superior meadow; the Mills are of superior construction, and have now a very good and increasing run of custom; the water-power can very conveniently be made to drive any kind of Machinery. For other particulars, and terms, apply to Thomas D. Gibbs, one of the proprietors, on the premises.

16tf THOMAS D. GIBBS,
JOSEPH HANES,
PETER SANER,
JACOB SANER,
MARTIN SANER.

May 23d, 1828.

N. B. Another tract, belonging to Peter Saner, adjoining the above, containing 225 acres, will be sold in connexion with the above, or separately as may best suit the purchaser; which is likewise first rate land.

Also, will be sold, a lot adjoining the town of Mocksville, containing ten acres of land, with a good dwelling-house, with out-houses, and an excellent garden: this property will be sold low, on accommodating terms. Apply as above.

GOVERNOR'S MESSAGE.

To the Honorable the General Assembly of N. C.:

GENTLEMEN: Happy to meet you in your legislative capacity, I congratulate you upon having assembled at a period, peculiarly propitious to calm deliberation and to the exercise of the highest faculties of the statesman. Our country is in profound peace. A degree of harmony and mutual good feeling, almost unparallelled, prevails throughout the State. Even the little strife, which the recent contest for the presidential chair excited among us, is hushed into silence, and your mind is left cool and collected, to devote all its energies to the improvement of our social condition. If, during the past year, some clouds have gathered in our political atmosphere, yet we have abundant reason to be grateful to that Almighty Being, in whose hands are the destinies of nations as of individuals, for the many blessings which he has vouchsafed to bestow. The labours of the husbandman have been rewarded with an exuberant harvest; industry and economy have increased; education and intelligence have continued to be diffused among our citizens; the calendars of our courts exhibit but few offences of an atrocious nature; and health, with some melancholy exceptions, has shed its benign influence over our land. Another year too has tried the strength of our political institutions, and give new evidence of the purity and wisdom of the principles, upon which they are founded.

Before remarking, according to a custom which has ripened into a duty, upon the prominent subjects of internal policy which will probably engage your attention, permit me to advert to a measure of the United States' Government, adopted since your last session, in which not only your immediate interests, but your rights as a member of the confederation, are involved. It is with great reluctance, that I address you on any act of the constituted authorities of the nation. Did it embrace a question of mere ordinary political expediency, I should be the last to place it before you, as a legitimate subject for your deliberations. North Carolina, warmly attached to the Union, will never complain of any measure, however hardly it may bear upon her individual interest, if it is necessary for the general welfare, and if it does not infringe the rights reserved by each State in the Federal Compact We have borne, without murmuring, all the privations imposed by the embargo; we have contributed towards the prosecution of the late war, our share of treasure and of blood, of fortitude and constancy, we have annually, for many years, paid into the national treasury, in indirect taxes, little less than a million of dollars. These things we have done, not because we were insensible of the burthen, but because we believed the welfare of the Union required our exertions. But now a new question is presented to us. Congress have assumed the principle, that they have power to mould and direct the industry of the nation to any pursuit, which they may think most advisable, and to make all other branches tributary to that which they may choose to select. By an act passed at their last session, commonly called the Tariff Act, imposing duties amounting to a prohibition upon the importation of coarse woollen and cotton fabrics, and upon some other articles, they declare in substance, that the consumers of these manufactures, including the mass of our community—including all the agriculturists, and all employed in commerce—in fact, all engaged in other pursuits than those of manufactures, shall pay an enhanced price for articles of prime necessity. What is this but a tax, whether the enhance price is paid into the national treasury or in the shape of a bounty to the domestic manufacturer; And whence is derived the power of the general government to levy a tax upon one portion of the community for the exclusive benefit of another; Devoutly as the Union was desired, where is the State that would have surrendered any part of its sovereignty, if it had believed that the regulation of its industry, of the chosen pursuits of its citizens, the most valuable portion of its internal economy was to be included in the cession? North Carolina, I am sure, would never have listened for a moment to such a concession of her rights. Opposed as is this system, misnamed the "American System," to all the most approved maxims of political science, it is no less opposed to the spirit of our Constitution and to some of the fundamental principles on which free governments are based One, principal object of our union, was to cherish and extend our foreign commerce. This Tariff system is to destroy it. Our union was to protect one State from the unjust and illiberal commercial regulations of another. This "American System" gives to the majority in Congress, without regard to the rights or interest of particular States, the power to bestow bounties on one section of our country, and to impose corresponding burthens upon another. Equality of rights, an equal participation of benefits and burthens; exemption from taxation, except when the general good is to be promoted; the liberty of adopting, unmolested, any pursuit or profession not forbidden for reasons of public policy—these, we have been taught to believe, are among the great blessings secured by a republican government. Are not all these set at nought by the Tariff system; the benfits which it confers are confined to a few; the burthens it imposes are borne by the many. The wealthy manufacturer will reap his profit, because by the exclusion of foreign competition, he will obtain a higher price for his manufacture. The agriculturist, whether rich or poor, the owner of large plantations, equally with the hardy yeoman who contributes most to the solid wealth of his country, and upon whose arm, that country relies for its defence, is compelled at the same moment to pay more for what he consumes, and to receive less for the product of his labor, What, if possible aggravates the injustice of the measure, its influence is sectional. The States in which, from well known causes, manufactures can be most advantageously prosecuted, will be compensated, in some degree, for the loss which one portion of its citizens sustains by the wealth which another acquires. But in the southern States, whose interests are essentially agricultural, the injury inflicted has no lenitive balsam, the oppression is wholly unmitigated. The limits prescribed to this address will not permit me to dwell more in detail upon the odious character of this law, and the oppressive effects which its operation must produce upon the various interests of this States, exciting, as it has done, a very general and just indignation in the minds of our citizens, I have thought it my duty to submit it to you as the representatives of the people, as the 'sentinels on the watch tower,' that you might if any constitutional means presented themselves, interpose them between your constituents and the threatened mischief. I will candidly confess that no plan of effectual resistance, on the part of the State Legislature, which I have yet heard suggested, appears to me free from insurmountable objections. A dissolution of the Union is not to be thought of. If you believe, however, as I do on the present occasion, that the spirit of the Federal Compact has been violated, and great injustice done to your citizens, I recommend to you, to protest solemnly against the principle thus adopted by those who administer the general government; to represent your sentiments to the many to your sister States, in the language of mild and friendly remonstrance, but with the energy which the outrage of conscious right inspires, with the feeling of deep attachment to the Union and awful foreboding as to any departure from its legitimate and well understood purposes. I would appeal, too, to the patriotism and State pride of our fellow citizens, to lend their aid, individually, in averting the immediate evil effects of this system. I would say to them—Return to the prudent and economical habits of your fathers; discard foreign luxuries; be not dependent on other States for what you can grow or fabricate yourselves; manufacture your own cloths by your household industry; make your own provisions. You will suffer many inconveniences, and your profits will not be as great as if you had a free trade; but you will, at least, not feel the humiliation of paying a tax imposed on you for the benefit of the greedy capitalist or the speculative politician. The wealthy manufacturer will not have you for his tributaries, and the very avarice which urged him to the enactment of this law, will drive him to seek for its repeal.

If the restrictive system is to be fastened on us, we have this consolation, that N. Carolina is as capable as any state in the Union, of subsisting upon her own resources, independent of foreign commerce, or of commerce with her sister states. With a soil happily diversified, with a climate corresponding with the richness and variety of her soil, with nearly all the useful minerals embedded in her mountains, with inexhaustible pastures, with a hardy and industrious population; there is not an article that necessity demands, scarcely one that comfort requires, and few that minister to luxury, which her fields, her forests, her rivers, or her mountains cannot produce, or her industry fabricate within her own limits. But I cannot yet abandon my reliance upon the good sense and justice of our fellow citizens throughout the United States. I feel a confidence, arising from my belief in the intelligence and patriotism of the people, that this system of restriction will not long exist. The class of consumers, consisting of nine-tenths of the population, will not long submit to so grievous an oppression. An unfortunate delusion, created partly by local causes and partly by the arts of designing politicians, has been spread over a great part of our country. A little time, a little reflection, on the part of the great body of the people, will probably dissipate this delusion, and restore the period when each one, unaided by government bounties, and unoppressed by government taxation, may pursue the avocation to which he is directedby his talents, his interest, or his inclination.

[*To be Concluded in our next.*]

POETRY.

An Ode, written by Lord Byron, on the anniversary of his last birth-day, a few weeks before his death:

"*On this day I complete my thirty-sixth year.*"

MISSOLONGHI, JAN. 23, 1821.

'Tis time this heart should be unmoved,
Since others it has ceased to move;
Yet though I cannot be beloved,
Still let me love.

My days are in the yellow leaf;
The flowers and fruits of love are gone;
The worm, the canker, and the grief,
Are mine alone.

The fire that on my bosom preys
Is done as some volcanic isle;
No torch is kindled at its blaze—
A funeral pile!

The hope, the fear, the jealous care,
The exalted portion of the pain
And power of love I cannot share,
But wear the chain.

But 'tis not *thus*, and 'tis not *here*. [*now*
Such thoughts should shake my soul; nor
Where glory decks the hero's bier,
Or binds his brow.

The sword, the banner, and the field,
Glory and Greece around me, see!
The Spartan borne upon his shield
Was not more free.

Awake! (not Greece—she is awake!)
Awake my spirit! thing through *whom**
Thy life-blood tracks its parent lake,
And then strike home!

Tread those reviving passions down,
Unworthy manhood! Unto thee
Indifferent should the smile or frown
Of beauty be.

If thou regret'st thy youth, *why live?*
The head of honourably death
Is here—up to the field, and give
Away thy breath!

Seek out, less often sought than found,
A soldier's grave—for thee the best;
Then look around, and choose thy ground,
And take thy rest.

* Lord Byron was lineally descended, through his mother, the Lady Catharine Gordon, from the King of Scotland.

MISCELLANEOUS.

FROM THE EDINBURGH PHRENOLOGICAL JOURNAL.

CASE OF SPECTRAL ILLUSION.

The following very distinct and interesting narrative was read to the London Phrenological Journal, by its learned author, a member of the English bar.

"In December, 1828, A. was confined to his bed, by inflammation on the chest, and was supposed by his medical attendant, to be in considerable danger. One night, while unable to sleep from pain and fever, he saw sitting in a chair, on the left side of his bed, a female figure, which he immediately recognized to be that of a young lady, who died about two years before. His first feeling was surprise, and perhaps a little alarm; his second; that he was suffering from delirium. With this impression he put his head under the bed cloths, and after trying in vain, to sleep, as a test of the soundness of his mind, he went through a long and complicated process of metaphysical reasoning. He then peeped out and saw the same figure in the same situation and position. He had a fire, but would not allow a candle or nurse in the room. A stick was kept by his side, to knock for the nurse when he required her attendance Being too weak to move his body, he endeavored to touch the figure with his stick, but, on a real object being put upon the chair, the imaginary one disappeared, and was not visible again that night.

"He says that the impressions on his mind were always pleasing, as the spectre looked at him, with calmness and regard. He never supposed it real; but was unable to account for it on any philosophical principles within his knowledge.

"The next day he thought of little but the vision, and expected its return without alarm, and with some pleasure. He was not disappointed. It took the same place as before, and he employed himself in observations. When he shut his eyes, or turned his head, he ceased to see the figure, by interposing his head he cold hide part of it, and it was shown like a mere material substance, by the rays of the fire which fell upon, and were reflected from it. As the fire declined it became less perceptible; and as it went out, invisible. A similar appearance took place on several other nights, but it became less perceptible and its visits less frequent, as the patient recovered from the fever.

"In the autumn of 1825, A's health was perfectly restored, and he had been free from any waking vision for nearly eighteen months. Some circumstances occurred which producedin him great mental excitement. One morning he dreamed of the figure, which stood by his side, in an angry posture, and asked for a locket which he usually wore. He awoke and saw it at the toilet, with the locket in its hand. He rushed out of bed, and it instantly disappeared. During the next six weeks its visits were incessant, and the sensation which they produced, were invariably horrible. Some years before, he had attended the dissection of a woman in a state of rapid decomposition. Though much disgusted at the time, the subject had been long forgotten; but it was recalled by the union of its putrescent body, with the spectre's features. The visits were not confined to the night, but frequently occurred, while several persons were in the same room. They were repeated at intervals during the winter; but he was able to get rid of them by moving or sitting in an erect position. Though well, his pulse was hard, and generally from 90 to 100.

"A. is a person of good education and literary habits. I have not the slightest doubt of his veracity. He never supposed the appearances above mentioned other than illusions. He has always had a propensity towards the supernatural, without any belief in it; and he ascribes these effects of imagination to the perusal of the 'Tales of Wonder,' and other ghost stories when a boy. He will not allow me to lay before the Society an account of his head as connected with this statement, as he would not like to be called a dealer in the marvellous. I may however, say, that ideality is large, and the reflective faculties very good.

Craniology.—The study of Craniology has become quite a mania in France. The Gazette de France states that the Minister of Marine, Hyde de Neuville, has become a convert to the system, and has made it the foundation of a new classification of galley slaves. Hitherto these wretches have been classed, according to the length of time, for which they were convicted. Mr. Appert has been sent by the Minister, to visit all the seaports, to examine and feel the heads of all the galley slaves, and to class them according to the analogy found to exist between the bumps and protuberances found on their skulls. This order has already given rise to a pleasant farce, which has been very successful at Paris.

A phenomenon had occurred between Torre Laguna and Uceda, at about seven leagues from Madrid, which had thrown the ignorant and superstitious inhabitants, into great consternation. Flames broke out of the earth in the midst of dense volumes of smoke, which communicating to the combustible materials around, set fire to the woods on the mountains, in the neighbourhood. Monks were to be sent from Madrid to explain to the people that it was a natural event. The phenomenon was ascribed to stagnant waters at the foot of the mountain, from which it was supposed sulphureous oxygen had been extracted by the intense heat and drought.

* What is sulphureous oxygen? Carburetted and sulphuretted hydrogen constitute the bulk of marsh exhalations.

Pears.—In Salem, Mass. is a pear tree, which was planted about 30 years ago, and has never been grafted or inoculated, yet yields two sorts of fruit unlike in size, shape and appearance, growing on the same branches, and from blossoms of the same bunch. The tree sprung from seed of the St. Germain pear. The pears of the larger kind are mentioned as fit for eating, while the others would not be ripe for several weeks.

Western Tiller.

EARLY WINTER.

About four o'clock yesterday morning, it commenced snowing with the wind strong from the N. E. and continued till about 12. Had the earth been prepared to receive this æriel visitor, we think, from the quantity that fell, that it would have been at least six inches deep.

Old Dominion.

Executions.—New-York has led the way in giving a tremendous moral effect to executions, by a provision that they shall take place either within the prison, or an enclosed yard attached. The martyrdom of malefactors, and the public sympathy wasted upon them to the demoralizing of the community, will now be done away with in that State, an example every other State ought to follow. *R. I. Amer.*

Hot water, applied to roots of trees will resuscitate them if they be worm eaten; many trees in a decaying condition have been saved by scalding them in this way. Pour the water round the tree slowly, and be careful that it penetrates the root. Hot water will also be found extremely beneficial, in radish and other vegetable beds. Scald the earth before sowing the seeds, by which means you will destroy the larvae of the insects, which are apt to be very plenty in rich soil.

Freezing.—A waterman talking one night; from the street to a woman at a window, and as neither of them could hear distinctly, what the other said, *what do you say?* was frequently repeated by both. The reason why they could not hear was, that it froze very hard at the time, and in the morning the wall was covered with "what do you says" in ice.

The following ridiculous "discovery is going the rounds of newspapers;" nobody of common sense believes it—but as caterers for the public appetite, we print it, to show "what is doing in the world."

A Discovery!—A Bath grave digger declares, that in the course of decomposition, the face of every individual turns to the earth; and that in the experience of 23 years in his situation, he had never known one instance to the contrary.

There have been (says the Western Tiller) from thirty-six to thirty-eight millions of bricks made in Cincinnati, (Ohio) this season, nearly all of which are now to be seen in the walls of handsome buildings.

The cow cabbage, produced in La Vendee France, grows to the height of from 12 to 15 feet. Sixty plants are sufficient provender for a cow a whole year, and they last four years without replanting.